

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. SCOTT RHODES, Defendant.	CV 21-110-M-DLC STIPULATION TO AUTHENTICITY OF INTERNET ARCHIVE SNAPSHOTS
--	--

The Parties to the above-captioned action hereby stipulate as follows:

1. Internet Archive snapshots are accessible to the public through the “Wayback Machine” (available at <https://web.archive.org/>).
2. The URL associated with a snapshot obtained through the Wayback Machine reliably establishes the webpage that the snapshot replicates and the date and time at which the snapshot was taken. For example, the snapshot available at the URL <https://web.archive.org/web/20190101000048/http://google.com/> is a copy of the webpage “google.com” as it appeared to a typical webpage-visitor on January 1, 2019 at 12:48 a.m. GMT.
3. The parties have agreed to presume that Internet Archive snapshots of webpages archived by the Internet Archive are true and accurate copies of those

webpage as they would have appeared to a typical webpage visitor at the date and time the snapshots were taken, with the caveat that certain interactive webpage features and images may not be fully captured by the snapshots.

4. No extrinsic evidence shall be required to establish the authenticity of Wayback Machine snapshots.

5. The presumption discussed in paragraph 3 shall apply unless a party shows good cause to question the authenticity of a particular purported snapshot.

6. This stipulation relates only to the authenticity of Internet Archive snapshots in reproducing the webpages they purport to display. Neither party waives its right to object to the admissibility of Internet Archive snapshots on any other grounds.

DATED this 29th day of June, 2023.

/s/ Michael J. Wadden
MICHAEL J. WADDEN
Trial Attorney
Attorney for Plaintiff

DATED this 29th day of June 2023.

/s/Scott Rhodes
SCOTT RHODES
Defendant